

## UNITED STATES DISTRICT COURT

for the  
District of New Mexico

FILED

United States District Court  
Albuquerque, New MexicoMitchell R. Elfers  
Clerk of Court

In the Matter of the Search of  
*(Briefly describe the property to be searched  
 or identify the person by name and address)*  
 Willard Haven DEDIOS,  
 year of birth 1963.

Case No. MR 22-999

## APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

Attachment A

located in the \_\_\_\_\_ District of \_\_\_\_\_ New Mexico \_\_\_\_\_, there is now concealed *(identify the person or describe the property to be seized)*:

Attachment A

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
U.S.C. Title 18 § 1153	Crimes committed in Indian Country
U.S.C. Title 18 § 2242(2)	Engaging in a sexual act with another person if that person is incapable of appraising the nature of the conduct.

The application is based on these facts:

See attached affidavit, incorporated herein by reference.

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days *(give exact ending date if more than 30 days)*: \_\_\_\_\_ is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
 Applicant's signature  
 Lorraine Hardy, Special Agent  
 Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
 Telephonically Sworn and Electronically Signed *(specify reliable electronic means)*.

Date: June 28, 2022

City and state: Farmington, New Mexico

  
 Judge's signature

Paul B. Briones, United States Magistrate Judge  
 Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE SEARCH OF:  
The person of Willard Haven DEDIOS,  
year of birth 1963.

Case No. \_\_\_\_\_

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Lorraine Hardy, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the person of Willard Haven DEDIOS, year of birth 1963, for the purpose of obtaining deoxyribonucleic acid (DNA) by collecting oral (buccal) swab samples according to the standard practices and procedures employed by the FBI for DNA testing and comparison. Based on the facts set forth in this affidavit, there is probable cause to believe that DEDIOS violated federal criminal statutes, including but not limited to U.S.C. 18 § 1153, crimes committed in Indian Country, U.S.C. Title 18 § 2242(2) engaging in a sexual act with another person if that person is incapable of appraising the nature of the conduct. DEDIOS's DNA will provide evidence of such crimes.
2. I am currently serving as an FBI Special Agent assigned to the FBI, Albuquerque Division, Farmington Resident Agency, where I primarily investigate crimes that occur in Indian Country to include; homicide, aggravated assault, child sexual assault, kidnapping and rape. I have been with the FBI for approximately 3 years. I received on the job training from other experienced agents, detectives, Indian Country criminal investigators, and tribal police officers. My investigative training and experience includes; but is not limited to, processing crime scenes, conducting surveillance, interviewing subjects and witnesses,

writing affidavits for executing search warrants and arrest warrants, examining cellular telephones, managing confidential human sources and cooperating witnesses/defendants, serving subpoenas, collecting evidence and analyzing public records.

3. This affidavit is based upon information reported to me by other federal, state, and local law enforcement officers during the course of their official duties. Throughout this affidavit, reference will be made to law enforcement officers. Law enforcement officers are those federal, state, and local law enforcement officers who have directly participated in this investigation. This affidavit is also based upon information gained from interviews with cooperating citizen witnesses, whose reliability is established separately herein.
4. This affidavit is intended to show there is probable cause for the requested search warrant and does not set forth all of my knowledge about this matter. The statements in this affidavit are based on my personal knowledge, information that I have received from other law enforcement personnel, and from persons with knowledge regarding relevant facts. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are sufficient to establish probable cause to obtain the requested warrant.

#### PROBABLE CAUSE

5. On or about June 2, 2022, the Farmington Resident Agency of the FBI was notified by Jicarilla Police Department (JPD) of an investigation regarding Native American juvenile (herein after referred to as K.D.), year of birth 2005, who reported to the JPD (herein after referred to as JPD) K.D. was a victim of child sexual assault by K.D.'s grandfather, Willard

Haven DEDIOS (herein after referred to as DEDIOS), year of birth 1963. K.D. also disclosed there were sexually explicit images/videos of K.D. on DEDIOS cellular phone.

6. FBI Farmington Resident Agency scheduled a forensic interview for K.D. On or about the evening of the May 25, 2022, K.D. disclosed she was provided alcohol and marijuana by DEDIOS at his residence in Dulce, New Mexico. K.D. remembered waking up on a bed at DEDIO residence, DEDIOS was laying on top of her. K.D. could not remember how she got there and attempted to push DEDIOS off of her before K.D. passed out again. K.D. awoke a second time the next morning and discovered DEDIOS lying next to K.D. on the bed. K.D.'s pants were unbuttoned and K.D. reported feeling weird. K.D.'s aunt, witness one (herein after referred to as T.J.), year of birth 1980, reported K.D. later disclosed having pain and bruising on her legs.
7. On May 29, 2022, T.J. took K.D. to Sexual Assault Services in Farmington, New Mexico for a Sexual Assault Nurses Exam (hereinafter referred to as a SANE). K.D.'s preliminary SANE revealed that bruising was observed all over K.D.'s entire body. Her vaginal area showed substantial bruising and an abrasion. The extent of K.D.'s injuries were considered severe. During the SANE multiple swabs were collected from K.D.'s body possibly containing DNA. The SANE kit was sent to the lab for forensic analysis.
8. On June 3, 2022, a JPD Criminal Investigator obtained a search warrant for DEDIOS phone. The account information on the phone revealed a Facebook login for DEDIOS. Text messages were observed indicating DEDIOS just acquired a new Blu View cell phone by Straight Talk, which matched the cell phone K.D. identified as DEDIOS, as well as multiple text message conversations between DEDIOS and K.D. After review of the photos on the phone, a passed out female was observed laying on a mattress on the floor. The female was identified as K.D. The photos showed K.D.'s exposed breasts and vagina.

Additionally, the photos showed a hand, not belonging to K.D., grabbing the genital region of K.D. and the insertion of a finger into K.D.'s vagina.

9. On June 9, 2022, JPD Criminal Investigators and Agents served a search warrant on DEDIOS residence. A mattress with a grey fitted sheet, Cowboy football team logo pillow, curtains, ladder, and broken floor tile were observed, matching the items viewed in the photos from DEDIOS cellphone. A reconstruction of the crime scene was created based off the arrangement of the items in the photos. The grey fitted sheet and Cowboy football team logo pillow were seized as evidence.
10. Based on my training and experience, it is possible DEDIOS DNA is potentially on the DNA swabs taken from K.D.'s body during her SANE. The DNA swabs in K.D.'s SANE kit is stored in evidence at the State Laboratory in Santa Fe, New Mexico, pending forensic analysis. The collection of DEDIOS DNA, which is the subject of this warrant application, may provide evidence of such crimes.
11. The reported incident took place at DEDIOS's residence located at 32 3<sup>rd</sup> Street which resides within the exterior boundaries of the Jicarilla Apache Nation, Rio Arriba County, and the town of Dulce, New Mexico.

#### CONCLUSION

12. Based on my training, experience, and the facts as set forth in this affidavit, there is probable cause to believe that violations of U.S.C. 18 § 1153, crimes committed in Indian Country and U.S.C. Title 18 § 2242(2) engaging in a sexual act with another person if that person is incapable of appraising the nature of the conduct, were committed by DEDIOS and that evidence of such violations will be found on the person of Willard Haven DEDIOS, year of birth 1963, in the form of DNA. Said DNA is relevant and material in the context of

forensic evaluation with regard to establishing DEDIOS's participation in relation to the present investigation.

13. I respectfully request a search warrant be issued to search the person of Willard Haven DEDIOS, year of birth 1963, for the purpose of obtaining deoxyribonucleic acid (DNA) to compare with any DNA found on the bedding items mentioned above.
14. Assistant United States Attorney Kyle Nayback reviewed and approved this affidavit for legal sufficiency to establish probable cause.

Subscribed and sworn to me on June 28, 2022

Telephonically sworn and submitted via email

  
Corraine Hardy  
Special Agent  
Federal Bureau of Investigation

  
B. Paul Briones  
United States Magistrate Judge

ATTACHMENT A

Property to be Seized

From Willard Haven DEDIOS, year of birth 1963;

1. Deoxyribonucleic Acid (DNA) Sample